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Columnists on EN.RIAN.ru

Whose wedding is it anyway?

Natalia Antonova



19/12/2011 7:24

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Authorities ready to arrest Tymoshenko says Ukrainian opposition deputy

Topic: Yulia Tymoshenko case



Yulia Tymoshenko

11:24 22/07/2011

KIEV, July 22 (RIA Novosti)

© RIA Novosti, Grigory Vasilenko

A Ukrainian court will order the arrest of former Prime Minister Yulia Tymoshenko, Sergey Vlasenko, a Ukrainian opposition party deputy said on Friday.

"Today, Tymoshenko's defense received information that on Monday evening a meeting took place between Judge Rodion Kireyev and a member of the Presidential

Administration staff. The judge was told that he had a task - today, after questioning several witnesses, he should order her arrest," said Vlasenko, a member of Tymoshenko's BYuT-Batkyshina party.

A source in the presidential administration confirmed this. Vlasenko said.

Vlasenko was excluded from his role defending Tymoshenko at the trial on Monday for contempt of court for not standing when the presiding judge entered the courtroom and then getting into an argument with him.

The Kiev Pechora district court has been hearing the so-called gas contract affair surrounding Tymoshenko since the end of June, in which Tymoshenko has been accused of exceeding her authority during her time as prime minister by signing a gas supply contract with Russia in 2009.

The government wants the "gas contract" affair wrapped up by Ukrainian Independence day on August 24, Vlasenko said.

"The authorities want the Tymoshenko affair tidied up by August 24, so they can celebrate Independence Day quietly, without protests," he said.

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- Kiev court throws Tymoshenko lawyer out of court, leaving her unrepresented
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Case 1:11-cv-02794-KMW Document 23-30 Filed 12/19/11 Page 5 of 37

12/19/11

Statements 2011 | Embassy of the United States Kyiv, Ukraine

Embassy of the United States Kyiv, Ukraine

STATEMENTS 2011

U.S. Government Statement of Concern about Arrest of Former Prime Minister Yulia Tymoshenko

August 6, 2011

Yesterday's incarceration of former Prime Minister Tymoshenko has raised concerns internationally about the application of the rule of law in Ukraine and further contributes to the appearance of politically-motivated prosecutions.

The US Government shares those concerns and $\mbox{\tt urges}$ that $\mbox{\tt Mrs.}\mbox{\tt T}$ lease.

We have raised our concerns with the Government of Ukraine regarding the legal proceedings against Mrs. T

Il continue to closely monitor those proceedings.

The U.S. Embassy in Kyiv has requested access to visit Mrs. T

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12/19/11

United States Senator John McCain :: Press Office



STATEMENT BY SENATOR JOHN McCAIN REGARDING THE DETENTION OF FORMER UKRAINIAN PRIME MINISTER YULIA TYMOSHENKO

August 5, 2011

Washington, D.C. - U.S. Senator John McCain (R-AZ) t

leased the follow

I am deeply concerned about the detention today of former Prime Minister Yulia Tymoshenko in Ukraine. This action is clearly a violation of the basic rights that should be protected for every citizen in a democracy. The implications of this detention go far beyond the fate of one person. Ultimately, what is at stake is the future of freedom and democracy in Ukraine. Unfortunately, today's action by the Ukrainian government calls into question its commitment to the fundamentals of democracy, and as such, will make Ukraine's path toward a future in the Euro-Atlantic community harder to achieve. I urge the leadership in Kyiv to release Prime Minister Tymoshenko immediately and guarantee the rights of all Uk less of their political beliefs."

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Press Release of Senator Lugar

Lugar Statement on Tymoshenko Arrest

Tuesday, August 9, 2011

U.S. Senator Dick Lugar made the following statement today regarding the arrest of Yulia Tymoshcnko:

"The arrest of former Ukrainian Prime Minister Yulia Tymoshenko further contributes to the perception that this case has been pursued to settle old political scores. I am concerned that the proceedings are distracting the nation of Ukrainefrom the difficult work ahead in its efforts to join the European Union. It is time for all Ukrainians to leave past political disagreements behind them and work together to build their future in Europe."





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Buzek brands Tymoshenko arrest as 'disturbing'

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"I not distorbed by the Jerzy Buzek

By Martin Banks - 8th August 2011

Parliament's president Jerzy Buzek has reacted angrily to the arrest of former Ukrainian premier Yulia Tymoshenko.

Tymoshenko, who is on trial on charges of abuse of power over gas deals she signed with Russia in 2009, was placed under arrest on Friday for contempt of court after describing her successor as "corrupt" and mocking the judge on Twitter

She says that she is the victim of a vendetta pursued by president Viktor Yanukovych against leaders of the 2004 Orange Revolution uprising that brought a pro-Western government to power.

EU members and the United States expressed alarm after her arrest, saying they were concerned about a selective prosecution by the Yanukovych-led authorities of their foes.

Her lawyer Sergei Vlasenko has said he fears she risks being handed a jail sentence of between seven and 10 years.

Now Buzek has voiced criticism of the Ukraine authorities, saying, "I am disturbed by the news about the court's decision to detain Tymoshenko.

Speaking ahead of her court appearance on Monday, Buzek said, "The context and conditions raise concern about the politically motivated nature of this decision, and about the application of the rule of law in Ukraine.

"I have recently expressed my concern to Ukraine's leaders about the apparent selectivity in opening criminal proceedings against Tymoshenko and other former ministers of previous government.

Il urge Ukraine to uphold the principles and common values that define our relationship and that form the core of the Eastern partnership."

Parliament voted in June a resolution on "Ukraine: the cases of Yulia Tymoshenko and other members of the former

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EUROPEAN UNION

Brussels, 5 August 2011 A 315/11

Joint statement by EU High Representative Catherine Ashton and Commissioner Stefan Füle on the arrest of Yulia Tymoshenko in Ukraine

Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission, and Stefan Füle, EU Commissioner for Enlargement and European Neighbourhood Policy, made today the following statement:

"We are extremely concerned by reports of today's events in Pechersk District Court, culminating in the arrest of Yulia Tymoshenko, leader of the Batkivschyna Party.

The EU and other international partners of Ukraine have repeatedly underlined the need for fair, transparent and independent legal processes to avoid any perception of a policy of selective justice. Today's events are therefore a cause for concern about the state of the rule of law in Ukraine.

We reiterate previous statements that we and other colleagues have made on the high standards we expect from a country aspiring to political association with the EU. We urge Ukraine to uphold the principles and common values that form the core of the Eastern Partnership."

PRESS





Czech President Vaclav Klaus

Visegrad countries concerned over Tymoshenko's arrest

Aug 10 at 15:23 | Interfax-Ukraine

The governments of the Viscgrad Group of countries (Poland, Hungary, the Czech Republic and Slovakia) have expressed their concern over the arrest of former Ukrainian Prime Minister Yulia Tymoshenko.

"The Visegrad countries - the Czech Republic, Hungary, Poland and Slovakia - express their concern with the recent situation in Ukraine triggered by the decision of the Pechersky District Court and the subsequent arrest of Yulia Tymoshenko. The Visegrad countries believe that a fair, transparent and independent judicial

procedure should be granted to all Ukrainians," Radio Liberty cited an open letter by the governments of Poland, Hungary, the Czech Republic and Slovakia on Wednesday, which was posted on the Web site of the Czech Foreign Ministry.

The statement also notes that the Visegrad countries find the decision out of proportion to the charges of violating court rules and impeding proceedings.

"The Visegrad countries - as active supporters of European aspirations of Ukraine - express their hope that Ukrainian authorities will be able to endorse these aspirations through the proper functioning of the rule of law, fair judicial procedures, as well as high standards of democracy in Ukraine," reads the letter.

On August 9, Czech President <u>Vaclay Klaus sent a letter</u> to his Ukrainian counterpart Viktor Yanukovych asking him to personally confirm the absence of political motivation in the trial of Tymoshenko.

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Court has dismissed former Prime Minister Yulia Tymoshenko's lawyer Serhiy Vlasenko from the judicial process on the gas supply case. tymoshenko.ua

Vlasenko removed from courtroom until end of Tymoshenko trial (updated)

Jul 18 at 14:35 | Kyiv Post

TBYT-Batkivschyna faction deputy Scrhiy Vlasenko has said that he is planning to lodge appeals against a judge of the Pechersky District Court of Kyiv, Rodion Kireyev, at all institutions, including international ones, in connection with his dismissal from the trial of former Prime Minister former Prime Minister Yulia Tymoshenko and removal from the courtroom.

The court decided to remove Vlasenko from the courtroom until the end of the judicial process on the gas supply case opened against Tymoshenko.

According to earlier reports from Tymoshenko's official website and news agencies police have blocked Tymoshenko's lawyers inside the courtroom after the judge announced a break.

"It's not clear what Gryphon officers are doing, they're not saying why they're here, they're not allowing the desense lawyers to move around the courtroom, they're not letting them leave or enter, referencing some mythical order unclear from whom. We tried to find out whose orders, but they're not responding and are totally blocking the defense," said Serhiy Vlasenko.

There are currently eight Gryphon officers in the courtroom, who have lined up between the spectators in the courtroom and the area for the defense and prosecution.

"Right now Gryphon is forcibly removing my new lawyer Oleksandr Plakhotnyuk from the courtroom. The number of Berkut officers around the court has doubled. There are officers in vehicles along Khmelnytsky St. and by the Golden Gates. What are they preparing for?" Tymoshenko wrote on Twitter.

Earlier Vlasenko has filed a complaint with the court over the actions of Judge Kireyev who refuses to consider the issue of admitting new lawyers - Mykola Siyi and Oleksandr Plakhotnyuk - to the case.

"The judge began the hearing by essentially removing defenders from the courtroom. I made a statement regarding the judge's actions, which he ignored, I made a second statement after which Judge Kircyev said that I am abusing my rights and raised the issue of removing me from the courtroom," Vlasenko said during the break in today's hearing.

He believes the judge is deliberately denying Yulia Tymoshenko defense.

"He doesn't need lawyers or Tymoshenko, he needs one prosecutor and to read a verdict that has already been written. This isn't a trial or even a farce. This is the funeral of justice in Ukraine. If this is how a judge behaves in a case against a former prime minister, what does this say about cases involving ordinary people?" he said.

Vlasenko did not rule out that after the break the judge will have him removed from the courtroom and after a while remove Tymoshenko.

"It's the same mode as on July 15 - most likely he will not admit the lawyers, even thought I said three times that this request has been made and it must be considered. And immediately after this they will question witnesses, who I have already seen in the corridors of the Pechersk District Court," he added.

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Court starts next session on gas case against Tymoshenko; no journalists in courtroom Jul 18 at 12:10 Tymoshenko faces yet another investigation Jul 5 at 22:47

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United Press International: Gas charges is 'absurd,' says Tymoshenko Apr 12 at 19:00





Court has dismissed former Prime Minister Yulia Tyrnoshenko's lawyer Serhiy Vlasenko from the judicial process on the gas supply case. tyrnoshenko.ua

Vlasenko removed from courtroom until end of Tymoshenko trial (updated)

Jul 18 at 14:35 | Kviv Post

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PACE rapporteurs express concern at the ongoing detention of former Ukrainian Prime Minister Yulia Tymoshenko.

PACE rapporteurs express concern about Tymoshenko arrest

Aug 11 at 14:16 | Kyiv Post Staff

Mailis Reps of Estonia and Marietta de Pourbaix-Lundin of Sweden, co-rapporteurs for the monitoring of Ukraine by the Parliamentary Assembly of the Council of Europe (PACE), have expressed concern at the ongoing detention of former Ukrainian Prime Minister Yulia Tymoshenko.

"Her detention, ostensibly for contempt of court, strengthens the perception of the political nature of the charges against her," the two rapporteurs said in an Aug. 11 statement.

The ongoing criminal procedure, they said, underscores the urgent need for further judicial reforms in Ukraine.

Current legislation seems to provide for the possibility that political decisions can be criminalized when a new administration does not agree with them, they said in the statement.

"Any politically-motivated prosecution of former government members would be unacceptable. We call upon the Ukrainian authorities to ensure Ms Tymoshenko's immediate release and to exercise maximum restraint in the context of the trial against her as well as other former government members," the co-rapporteurs said.

Both said they plan to visit Ukraine Sept. 19-23 in the framework of the ongoing monitoring of Ukraine by PACE, an assembly that brings together 318 members from the national parliaments of the 47 member states.

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A number of influential world leaders, including the Tibetan spiritual leader the Dalai Lama, have called on EU countries to demand the release of former Ukrainian Prime Minister and Batkivschyna Party leader Yulia Tymoshenko and other Ukrainian opposition members, byut.com.ua

Dalai Lama, former presidents of several European countries call on EU to insist on Tymoshenko's release

Sep 1 at 14:36 | Interfax-Ukraine

A number of influential world leaders, including the Tibetan spiritual leader the Dalai Lama, have called on EU countries to demand the release of former Ukrainian Prime Minister and Batkivschyna Party leader Yulia Tymoshenko and other Ukrainian opposition members.

"We urge the EU and its member states to insist that the rule of law is respected. At the very least, the EU should demand that Tymoshenko and the other opposition leaders are set free on bail, so that they can more vigorously defend themselves in court," reads an article entitled "Ukraine Loses Its Way," which was posted on the Web site of the Project Syndicate.

The authors of the article also said that the "ongoing criminal proceedings against opposition politicians, including Tymoshenko, together with the impact of changes in the electoral law to favor the president and his supporters, are weakening opposition forces."

The article was signed by former Czech President Vaclav Havel, philosopher and essayist Andre Glucksmann, Czech Foreign Minister Karel Schwarzenberg, former German President Richard von Weizsacker, Chairman of the Russian United Democratic Party Yabloko Grigory Yavlinsky, the 14th Dalai Lama, Archbishop Emeritus of Cape Town and a Nobel Peace Prize laureate Desmond Tutu, and others.

Earlier, Havel published an article with a similar content in the Moscow Times English-language daily newspaper.

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In this <u>photo</u> made available by Tymoshenko's Press Service and taken on a mobile phone Ukra Minister Yulia Tymoshenko speaks to Rodion Kireyev, left, the judge of the Pechersky District (court room in Kiev, Ukraine, Monday, Aug. 22, 2011. AP

Judge again refuses to release Tymoshenko from custody for the 12th time

Aug 26 at 17:23 | Interfax-Ukraine Kyiv's Pechersky District Court has rejected a 12th petition to change the measure of restraint at ex-Premier Yulia Tymoshenko.

The Ukrainian Prosecutor General's Office opened a criminal case against Tymoshenko on charges of abuse of office in concluding the gas con in 2009, which, according to the investigation, caused damages amounting to Hr 1.5 billion to the state.

The court started hearing the gas case on June 24. Tymoshenko was arrested at a court session on August 5.

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Pechersky District Court Judge Rodion Kireyev has again refused to change the measure of restr Prime Minister Yulia Tymoshenko, and she will remain in custody. AP

Court refuses to release Tymoshenko from prison for ninth time

Aug 22 at 19:06 | Interfax-Ukraine

Pechersky District Court Judge Rodion Kireyev has again refused to change the measure of restr Prime Minister Yulia Tymoshenko, and she will remain in custody.

An Interfax-Ukraine reporter said that the defense team of the former prime minister on Monday submitted a ninth petition asking the court to r Tymoshenko from custody.

Kireyev said Tymoshenko is continuing to make insult

1 continue hearing the Russian gas supply contract case at 1400 on August 23.

Tymoshenko is charged with abuse of office when signing gas supply contracts with Russia in 2009. She was arrested on August 5 for contemp since that time, the former prime minister has been in Lukyanivka jail in Kyiv. Supporters and opponents of Tymoshenko have held regular rallicourthouse since August 5.

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United States Senator John McCain :: Press Office

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STATEMENT BY SENATOR JOHN McCAIN AND EPP PRESIDENT WILFRIED MARTENS

March 7, 2011

Washington, D.C. – U.S. Senator John McCain (R-AZ) a le's Party President Wilfried Martens today released the following statement urging Ukrainian authorities to lift the travel ban on Yulia Tymoshenko:

Senator John McCain and the President of the European People's Party (EPP) Wilfried Martens, jointly called on Ukraine's Prosecutor General's Office to lift the travel ban imposed on Yulia Tymoshenko, leader of the Batkivshchyna Party and former Prime Minister. The travel ban was originally imposed on January 31, 2011 and would preclude Mrs. Tymoshenko from attending the Summit of the EPP scheduled to take place on March 24, 2011 in Brussels. Mrs. Tymoshenko has already been barred from traveling to Brussels in December 2010 and February 2011 and attending EPP meetings.

"We jointly call on the Ukrainian authorities to allow Yulia Tymoshenko to attend the EPP Summit in Brussels on March 24, 2011. Mrs. Tymoshenko's party, Batkivshchyna, is an observer member of the EPP and she is, therefore, invited to participate in the Summit. We also call on the authorities to reconsider what could be viewed as selective prosecution of members of the opposition in Ukraine."

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Tymoshenko is not allowed to leave Kyiv AP

Tymoshenko not allowed to go to Vilnius, several regions of Ukraine

Jun 25 at 21:26 | Interfax-Ukraine

The Prosecutor General's Office has rejected Batkivschyna party leader and former Prime Minister Yulia Tymoshenko's request to allow her to go to Lviv, Volyn and Luhansk regions, as well as to visit Vilnius, Lithuania

"We reject [Tymoshenko's request to allow her] trips to Vilnius and across Ukraine, since it may affect the proceedings in court," the public prosecution's representative said at the meeting of the Pechersky District

Court on Saturday, June 25.

Earlier, Tymoshenko's lawyer Serhiy Vlasenko filed several petitions to the court asking it to allow the ex-premier, who is currently banned from leaving Kyiv, to go to Lviv, Volyn and Luhansk regions, as well as to visit Vilnius, Lithuania.

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Kyiv Post, Independence, Community, Trust - Politics - Deputy customs h...

KyivPost



Deputy Head of the State Customs Service Viktor Bondar

Deputy customs head banned from leaving Kyiv

Dec 29, 2010 at 15:55 | Interfax-Ukraine

Former head of Dnipropetrovsk Regional State Administration, former minister for transport and and Deputy Head of the State Customs Service Viktor Bondar has given a written undertaking relations-Ukraine learned at the media relations department of the General Prosecutor's Office of Wednesday.

Bondar was asked not to leave the city as a pre-trial restriction.

The General Prosecutor's Office detained former Bondar on abuse charges. On Dec. 24, the Prosecutor General's Office charged him with crit under part 5 of article 27, Part 2 of Article 194 and Article 353 of the Criminal Code of Ukraine (aiding to embezzlement, which caused large-damage).

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Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto as amended by Protocol No. 11

Strasbourg, 16.IX.1963

Headings of articles added and text amended according to the provisions of Protocol No. 11 (ETS No. 155) as from its entry into force on 1 November 1998.

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European Court of Human Rights
CDDH

The governments signatory hereto, being members of the Council of Europe,

Being resolved to take steps to ensure the collective enforcement of certain rights and freedoms other than those already included in Section 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950 (hereinafter referred to as the "Convention") and in Articles 1 to 3 of the First Protocol to the Convention, signed at Paris on 20th March 1952,

Have agreed as follows:

Article 1 - Prohibition of imprisonment for debt

No one shall be deprived of his liberty merely on the ground of inability to fulfil a contractual obligation.

Article 2 - Freedom of movement

- 1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
- 2. Everyone shall be free to leave any country, including his own.
- 3. No restrictions shall be placed on the exercise of these rights other than such as are in accordance with law and are necessary in a democratic society in the interests of national security or public safety, for the maintenance of *ordre public*, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

4. The rights set forth in paragraph 1 may also be subject, in particular areas, to restrictions imposed in accordance with law and justified by the public interest in a democratic society.

Article 3 – Prohibition of expulsion of nationals

 No one shall be expelled, by means either of an individual or of a collective measure, from the territory of the State of which he is a national.

2. No one shall be deprived of the right to enter the territory of the state of which he is a national.

Article 4 – Prohibition of collective expulsion of aliens

Collective expulsion of aliens is prohibited.

Article 5 - Territorial application

- Any High Contracting Party may, at the time of signature or ratification of this Protocol, or at any time thereafter, communicate to the Secretary General of the Council of Europe a declaration stating the extent to which it undertakes that the provisions of this Protocol shall apply to such of the territories for the international relations of which it is responsible as are named therein.
- Any High Contracting Party which has communicated a declaration in virtue of the preceding paragraph may, from time to time, communicate a further declaration modifying the terms of any former declaration or terminating the application of the provisions of this Protocol in respect of any territory.
- 3. ¹A declaration made in accordance with this article shall be deemed to have been made in accordance with paragraph 1 of Article 56 of the Convention.
- 4. The territory of any State to which this Protocol applies by virtue of ratification or acceptance by that State, and each territory to which this Protocol is applied by virtue of a declaration by that State under this article, shall be treated as separate territories for the purpose of the references in Articles 2 and 3 to the territory of a State.
- 5. ²Any State which has made a declaration in accordance with paragraph 1 or 2 of this Article may at any time thereafter declare on behalf of one or more of the territories to which the declaration relates that it accepts the competence of the Court to receive applications from individuals, non-governmental organisations or groups of individuals as provided in Article 34 of the Convention in respect of all or any of Articles 1 to 4 of this Protocol.

Article 6 - Relationship to the Convention

Chart of Declarations under former paragraph 2 of this article

As between the High Contracting Parties the provisions of Articles 1 to 5 of this Protocol shall be regarded as additional articles to the Convention, and all the provisions of the Convention shall apply accordingly.

Article 7 - Signature and ratification

- 1. This Protocol shall be open for signature by the members of the Council of Europe who are the signatories of the Convention; it shall be ratified at the same time as or after the ratification of the Convention. It shall enter into force after the deposit of five instruments of ratification. As regards any signatory ratifying subsequently, the Protocol shall enter into force at the date of the deposit of its instrument of ratification.
- 2. The instruments of ratification shall be deposited with the Secretary General of the Council of

Europe, who will notify all Members of the names of those who have ratified.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 16th day of September 1963, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General shall transmit certified copies to each of the signatory states.

Notes:

¹ Text amended according to the provisions of Protocol No. 11 (ETS No. 155).

² Text added according to the provisions of Protocol No. 11 (ETS No. 155).